

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PH INTERNATIONAL TRADING CORP.,
D/B/A HANA K,

Plaintiff,

v.

NORDSTROM, INC.,

Defendant.

Civil Action No. 07-10680 (KMK)

NOTICE OF MOTION

PLEASE TAKE NOTICE that defendant Nordstrom, Inc. (“Nordstrom” or “defendant”), by and through its undersigned attorneys, respectfully moves before the Honorable Kenneth M. Karas, U.S.D.J., United States Courthouse, 300 Quarropas Street, Room 533, White Plains, NY 10601, for an order pursuant to Fed. R. Civ. P. 12(b)(5) and 12(b)(6) dismissing with prejudice the Complaint of plaintiff PH International Trading Corp. (“PH International” or “plaintiff”) Complaint in the above-referenced action (the “Action”).


PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s March 5, 2008 Scheduling Order, PH International’s opposition papers are due on May 23, 2008.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s Individual Rules of Practice, oral argument on Nordstrom’s motion will be on a date and at a time designated by the Court.

PLEASE TAKE FURTHER NOTICE that in support of its motion, Nordstrom will rely upon the accompanying memorandum of law dated April 4, 2008, the Certification of Marc D. Youngelson, executed on April 4, 2008, and the documents annexed thereto.

Dated: April 4, 2008

SILLS CUMMIS & GROSS P.C.
One Rockefeller Plaza
New York, New York 10112
Attorneys for Defendant Nordstrom, Inc.

By: 

Mark S. Olinsky
Marc D. Youngelson

CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the foregoing Notice of Motion to Dismiss, Memorandum of Law, Certification of Marc D. Youngelson, Esq., and documents annexed thereto, to be served via e-mail and overnight delivery upon Allen Kozupsky, Esq., counsel to plaintiff PH International in this Action.

Dated: April 4, 2008

By: 
David Rubenstein